

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SERINA BOWEN,

Plaintiff,

vs.

METHODIST FREMONT HEALTH,  
FREMONT HEALTH, MIDLAND  
UNIVERSITY, FREMONT  
COMMUNITY HEALTH RESOURCES,  
KAREN HAASE, and KSB SCHOOL  
LAW, PC, LLO,

Defendants.

**8:19CV270**

**ORDER TO SHOW CAUSE**

This matter comes before the court after a review of the docket and pursuant to NECivR 41.2, which states in relevant part: “At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.”

The complaint was filed on June 21, 2019 and was amended on September 11, 2019. (Filing No. 1, Filing No. 7). Plaintiff filed returns of service indicating service by certified mail on each of the defendants on either September 12, 2019 (Filing Nos. 19, 20, 21, 22, 23) or September 13, 2019 (Filing Nos. 17 and 18). Defendants Karen Haase and KSB School Law, P.C., LLO, have filed an Answer (Filing No. 28), and Defendant Douglas County, Nebraska was dismissed from this action. (Filing No. 29).

The remaining defendants have not filed an answer or other responsive pleading. Specifically, Counsel for Defendant Methodist Fremont Health filed a notice of appearance on September 17, 2019, but Defendant has failed to timely answer or otherwise respond to the amended complaint. (Filing No. 24). Counsel for Defendant Fremont Health filed a notice of appearance on September 17, 2019, but Defendant has failed to answer timely answer or otherwise respond to the

amended complaint. (Filing No. 24, Filing No. 25). Defendants Midland University and Fremont Community Health Resources have failed to timely answer or otherwise respond to the amended complaint. Plaintiffs have a duty to prosecute the case and may, for example, seek default in accordance with the applicable rules, voluntarily dismiss parties, or take other action as appropriate.

Accordingly,

IT IS ORDERED that plaintiff shall have until December 17, 2019 to show cause why this case should not be dismissed as to Defendants Methodist Fremont Health, Fremont Health, Midland University, and Fremont Community Health Resources, pursuant to NECivR 42.1 for want of prosecution. The failure to timely comply with this order may result in dismissal of this action without further notice.

Dated this 26th day of November, 2019.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge